## REMARKS/ARGUMENTS

The Examiner's Office Action and the cited references have been given careful consideration. Following such consideration, claims 19, 21-24, 32, 34, 35, 37, 45, 50, 53, 56 and 57 have been amended to define more clearly the patentable invention applicant believes is disclosed herein. Moreover, claims 1-18, 46-49, 51, 52, 54 and 55 are currently withdrawn from the application. Claims 20, 25-31, 33, 36 and 38-44 are unchanged by the present amendment. It is respectfully requested that the Examiner reconsider the claims in their present form, together with the following comments, and allow the application.

In response to a Restriction Requirement issued by the Examiner, the invention associated with Group III corresponding to claims 19-45, 50, 53, 56 and 57 (drawn to a formatting data system) were elected for examination. The applicant hereby affirms the election.

## Rejection under 35 U.S.C. 102

The Examiner has rejected claims 19-45, 50, 53, 56 and 57 under 35 U.S.C. 102(b) as being anticipated by Hütsch et al. (US 7,269,664), hereinafter referred to as Hütsch. It is respectfully submitted that Hütsch fails to anticipate or render obvious the applicant's invention as defined by the present claims.

As indicated above, the independent claims of the present application have been amended to more clearly define the applicant's invention. As will be appreciated from a reading of the applicant's specification (see paragraphs [0096]-[0211]), the present invention provides a system for describing data and instructions on how to read/write the data when it is received or transmitted.

In general, Hütsch discloses a web based portal system that is used to convert source data and applications into a selection of views that can be read on standard web based clients (e.g., HTML for web browsers, WML for phones, and XML for applications). In contrast, the claims elected for prosecution in the present application are directed to providing a format for communications that does <u>not</u> *translate or process the data from one format to another.* The claims define a technique for embedding structure and format metadata to be associated with other data. The metadata is <u>not</u> designed to *process or translate* the format of the data, but instead, is designed to provide enough information to allow two devices (e.g., a client and a

server) to communicate agreements in the structure and format to use in a communication with each other.

In the context of the applicant's invention elected for prosecution, the claimed "metadata" is specifically related to documenting data about data structures (length, fields, etc) and data format attributes (name, size, data type, etc). Accordingly, the claimed "metadata" does not refer to the more generic "macro" term for metadata that can relate to any data about data. For instance, the present invention is not concerned with metadata often associated with a Microsoft Word document, e.g., author, date created, last modified, etc.

Hütsch presents a network portal system that relates to providing different views via a web browser to different sources of data. This is substantially different from the present invention as defined by claims 19-45, 50, 53, 56 and 57, as will be discussed in further detail below.

With reference to the rejection of independent claim 19, Hütsch discloses a communications system that has a different architecture than the system of the present invention. Hütsch discloses an invention for a *portal system* designed for user interaction. The present invention, as defined by independent claim 19, refers to a *communication format*. In particular, independent claim 19 recites a "second portion representing metadata for defining a data structure and a data format to be given to the first portion." Hütsch defines a system that uses "macro" metadata about a document or system to select a stylesheet or template to allow user access to different systems or applications. In contrast, the present invention works at the "micro" data level allowing the structure and format of actual data to be defined.

With regard to the rejection of dependent claim 20, it should be noted that Hütsch discloses a system where a selected template is used to provide actual data back to a user for various systems. The present invention, as defined by claim 20, is directed to a data format where metadata describing the structure and format of the first portion is adapted to be rendered and communicated in an electronically communicable format.

With respect to the rejection of dependent claim 21, it should be noted that the format of the metadata used to describe the first portion (data) is *selected from a set of definitions*. The metadata itself is a format of data.

Referring now to the rejection of dependent claim 22, Hütsch describes a solution where a stylesheet is selected and used to access information from a secondary device or application. The present invention is designed to allow the format and structure of one part of data (the first portion) to be described in detail by structural metadata (the second portion). It is useful to keep this information separate so that two computers (local and remote) may use this information to understand the data they wish to transfer. In accordance with claim 22, the second portion of the data may be transferred between computers before the first portion is transferred. This allows multiple instances of the data (first portion) to be transferred while only transferring the metadata (second portion) once. Hütsch has no notion that the stylesheet is acting as metadata for the first portion. Hütsch has no notion of describing the structure of data. Hütsch's system defines a form of data transformation where information is retrieved from one system and *reformatted* to be presented to a client device using a series of stylesheets and templates.

With respect to the rejection of dependent claim 23, Hütsch discloses a "dynamic data conversion service." The dynamic data conversion service generates a dynamic data filter that includes a chain of partial filter adapter components. The dynamic filter *converts* the original retrieved content from a first format into a second format such that the information can be extracted and placed in the template or transformed using a stylesheet" (see column 10, lines 37-43). This is a data transformation tool for allowing data to be delivered to a client device for a user to read. The present invention, as defined by claim 23, relates to the metadata (second portion) that describes the structure and format of the data (first portion). The dynamic data conversion service as disclosed by Hütsch provides no method of describing the data format being transformed and sent to the client.

The present invention, as defined by dependent claim 24, requires that the metadata (describing the structure and format) must be stored in at least one of the two devices. Accordingly, the metadata used to describe the data is made available to the devices wishing to process the data (first portion) that is being transferred. Hütsch describes a system where the web-top manager loads a template and fills in all user specific content in the template using retrieved content. The resulting data is transferred to the client. The template does not provide metadata to describe the structure and format of the data being transferred to the client.

The present invention, as defined by dependent claim 25, refers to the fact that the metadata describes the format and structure of the data (the first portion). The metadata is used by the computing device to control how to read the data of the first portion. Hütsch does not provide any metadata to assist the client in knowing how to read the data. Hütsch requires that the client have a client device capable of receiving and rendering data using HTML, XML or WML. The present invention does not refer to these types of clients.

With regard to the rejection of dependent claim 26, it should be noted that Hütsch uses the word "tag" in a different context than as used in the present application. The "tag <body>" refers to how the word "tag" is used in HTML/XML/WML. In these formats a tag is used to define the structure of data. In the present invention the term "tag" is used in a more generic form. As described at page 6, paragraphs [0102]-[0105] of the present application, the tag is used to specify an integer value to different data types used in the format.

With respect to dependent claim 27, different systems may use different identifiers. For this reason, the system requires that a correlation be made between a client's identifier/tag and the identifier/tag used in communication of the data. See page 6, paragraphs [0104]-[0105] of the present application and page 7, paragraphs [0115]-[0116]. Hütsch provides a mapping to one or more LDAP and/or RDBMS queries. This is in no way related to the method disclosed or claimed by the present application.

The present invention, as defined by dependent claim 28, relates to the need for internal identifiers to be mapped to external identifiers in the format as claimed in 19, 26 and 27. Hütsch describes a XcontentProvider that matches an interface identifier. The present invention, as claimed in 28, describes structural metadata and is not related to the system as described by Hütsch.

Dependent claim 29 relates to the need to be able to transfer the metadata in a format in an electronically communicable format. The term "serializable" infers that the information may be stored in a different format internally. Hütsch also uses the generic term "serializable" to describe the process of recording changes to a system. However, Hütsch does not serialize metadata (second portion) that describes the structure of data (first portion).

With reference to the rejection of dependent claim 31, the Examiner argues that Hütsch discloses a system where "the generation of dynamic data filters facilitates processing a broad

range of contents with different formats." It is important to note that Hütsch describes a system for *processing* data from different systems. The present invention describes the structure and format of data using metadata. It does <u>not</u> describe a system for *processing or manipulating data* other than to read/write it from a electronically communicable format.

With regard to the rejection of independent claim 32, the Examiner argues that Hütsch discloses a system that allows different types and formats of data, from different applications, to all be access and processed, from a single user interface. Hütsch's system relates to "types and formats of data" in the "macro" sense of file types, such as .doc, .pdf, .eml, .gif. In contrast, the present invention relates to providing a data format that provides a second portion representing metadata for defining the structure and format of the data being provided. As discussed above, the metadata of the present invention is at a "micro" data format level, rather than a "macro" level. Hütsch also discloses a system for processing and providing user access to the data and applications through a single user interface. Hütsch describes a system for processing different types of data to allow it be viewed by a user using different client devices that process XML, HTML or WML documents. In contrast, the present invention uses metadata to define the structure and format of data.

The method defined by dependent claim 33 also differs from Hütsch. Hütsch discloses a method to provide a user interface defined via different XML, HTML or WML templates and/or stylesheets. This is a form of *transformation* of data. The present invention does not attempt to *transform* data or provide it to be used in a user interface. The method of the present invention allows a second portion of data to be used to describe a first portion of data. The structural and format metadata provides important information to computers to ensure that it can be read and processed.

Dependent claim 34 discloses that the metadata used in the second portion is selected from a set of one or more definitions. This is where the selected definition is used to describe the data (first portion). Hütsch discloses no such method. Hütsch describes selecting templates and/or stylesheets to present data to a user.

With respect to the rejection of dependent claim 35, Hütsch discloses a top manager that retrieves a stylesheet that can be displayed in a client device. Hütsch does <u>not</u> describe a method

where metadata (the second portion) is used to describe the data being transmitted in a separate transmission (the first portion).

Referring to the rejection of dependent claim 36, Hütsch discloses a dynamic filter that is used to *convert* and process one form of data into a second format (the template) for being viewed by a client. The method of the present invention does not perform *processing* on the data.

As to the rejection of dependent claim 37, Hütsch discloses a method where data (template combined with user data) is transferred to a client. This reference does not describe a method where metadata (the second portion) is used to describe the format of the data (first portion) and the metadata used to describe the data is stored in at least one of two devices.

With respect to the rejection of dependent claim 38, Hütsch discloses directives in the JSP for combining templates with user data. The directives do not provide information on reading the data. The method of the present invention specifies that the metadata (second portion) is used to provide information on reading the data. This allows software to be written which reads the metadata and uses this information to read the data (first portion). Hütsch provides data to the client in the format of HTML, WML or XML which a client must be *previously programmed* to understand.

With respect to the rejection of dependent claims 39-42 and 44-45, please see the foregoing comments respectively associated with claims 26-29 and 31-32.

With reference to the rejection of independent claim 50, Hütsch discloses an apparatus that uses templates and stylesheets to modify source data into a set of basic formats for consumption by a client device. Hütsch does not use metadata (the second portion) to describe the contents of data (the first portion). Hütsch discloses an apparatus that transforms one type of data or application into another, as such, it *processes* the data. The present invention is directed to a method that uses metadata to describe the structure and format of data (first portion). The present invention does <u>not</u> *process or modify* the format of the data in any way. The two inventions being compared are designed to solve different problems and are not related.

With respect to the rejection of independent claim 53, Hütsch discloses a computer program which serves a different purpose than the present invention. The present invention provides metadata (the second portion) to describe the structure and format of data (the first

portion). Hütsch discloses a system to provide a user interface to different type and formats of data. Hütsch does not provide metadata that describes the structure and format of the data. Hütsch uses templates and/or stylesheets to *convert and modify* the source data into a format that can be accepted by a client device. The present invention does not attempt to convert and modify the data.

With respect to the rejection of independent claims 56 and 57, the applicant directs the Examiner's attention to the arguments presented above with respect to the other independent claims of the application.

## Rejection under 35 U.S.C. 103

Claims 30 and 43 have been rejected under 35 U.S.C. 103 as being obvious in view of the combined teachings of Hütsch and Kaars (US 2003/0056010).

Claim 30 requires the claimed metadata, that describes the structure and format of the data, to itself be described by metadata. This creates a self-defining data format wherein each and every element of the format is defined in the format. This format is described as the meta dictionary and is disclosed in the specification at page 12, paragraph [0198]. See also paragraphs [0199]-[0204].

Kaars discloses a downstream metadata altering system. In this context, Kaars uses the term metadata to describe information associated with films and other user content. Kaars does not use metadata to define the structure and format of associated data.

As Kaars does not disclose a system which describes data, and Hütsch does not disclose a system to describe the structure and format of data, it is respectfully submitted that it is not obvious that these two references would have been combined by one of ordinary skill in the art to provide the meta dictionary concept of the present invention.

The foregoing comments directed to claim 30 also apply to claim 43.

## Conclusions

In view of the foregoing comments, it is respectfully submitted that the present application is now in proper condition for allowance. If the Examiner believes there are any

further matters that need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0537, referencing our Docket No. SM9308PCT(US).

Respectfully submitted,

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